

1 NATIONAL OCEANIC AND ATMOSPHERIC  
2 ADMINISTRATION  
3 OPERATIONS, RESEARCH, AND FACILITIES  
4 (INCLUDING TRANSFERS OF FUNDS)

5 For necessary expenses of activities authorized by law  
6 for the National Oceanic and Atmospheric Administration,  
7 including maintenance, operation, and hire of aircraft and  
8 vessels; grants, contracts, or other payments to nonprofit  
9 organizations for the purposes of conducting activities  
10 pursuant to cooperative agreements; and relocation of fa-  
11 cilities, \$3,036,888,000, to remain available until Sep-  
12 tember 30, 2008, except for funds provided for cooperative  
13 enforcement, which shall remain available until September  
14 30, 2009: *Provided*, That fees and donations received by  
15 the National Ocean Service for the management of na-  
16 tional marine sanctuaries may be retained and used for  
17 the salaries and expenses associated with those activities,  
18 notwithstanding 31 U.S.C. 3302: *Provided further*, That  
19 in addition, \$3,000,000 shall be derived by transfer from  
20 the fund entitled "Coastal Zone Management" and in ad-  
21 dition \$77,000,000 shall be derived by transfer from the  
22 fund entitled "Promote and Develop Fishery Products and  
23 Research Pertaining to American Fisheries": *Provided*  
24 *further*, That of the \$3,121,888,000 provided for in direct  
25 obligations under this heading \$3,036,888,000 is appro-

1 priated from the general fund, \$80,000,000 is provided  
2 by transfer, and \$5,000,000 is derived from recoveries of  
3 prior year obligations: *Provided further*, That of the funds  
4 provided under this heading, \$250,000 is made available  
5 until expended subject to procedures set forth in section  
6 209 of Public Law 108-447: *Provided further*, That no  
7 general administrative charge shall be applied against an  
8 assigned activity included in this Act or the report accom-  
9 panying this Act: *Provided further*, That the total amount  
10 available for the National Oceanic and Atmospheric Ad-  
11 ministration corporate services administrative support  
12 costs shall not exceed \$209,179,000: *Provided further*,  
13 That payments of funds made available under this heading  
14 to the Department of Commerce Working Capital Fund  
15 including Department of Commerce General Counsel legal  
16 services shall not exceed \$34,425,000: *Provided further*,  
17 That any deviation from the amounts designated for spe-  
18 cific activities in the report accompanying this Act, or any  
19 use of deobligated balances of funds provided under this  
20 heading in previous years, shall be subject to the proce-  
21 dures set forth in section 505 of this Act: *Provided further*,  
22 That grants to States pursuant to sections 306 and 306A  
23 of the Coastal Zone Management Act of 1972, as amend-  
24 ed, shall not exceed \$2,000,000, unless funds provided for  
25 "Coastal Zone Management Grants" exceed funds pro-

1 vided in the previous fiscal year: *Provided further*, That  
2 if funds provided for "Coastal Zone Management Grants"  
3 exceed funds provided in the previous fiscal year, then no  
4 State shall receive more than 5 percent or less than 1 per-  
5 cent of the additional funds: *Provided further*, That for  
6 fiscal year 2008 and hereafter the Administrator of the  
7 National Oceanic and Atmospheric Administration may  
8 engage in formal and informal education activities, includ-  
9 ing primary and secondary education, related to the agen-  
10 cy's mission goals: *Provided further*, That in accordance  
11 with section 215 of Public Law 107-372 the number of  
12 officers in the NOAA Commissioned Officer Corps shall  
13 increase to 321: *Provided further*, That for fiscal year  
14 2009 and hereafter the National Oceanic and Atmospheric  
15 Administration shall submit its budget request to Con-  
16 gress concurrently with its submission to the Office of  
17 Management and Budget: *Provided further*, That of the  
18 funds provided, \$15,000,000 is provided for the alleviation  
19 of economic impacts associated Framework 42 on the  
20 Massachusetts groundfish fishery.

21 In addition, for necessary retired pay expenses under  
22 the Retired Serviceman's Family Protection and Survivor  
23 Benefits Plan, and for payments for the medical care of  
24 retired personnel and their dependents under the Depend-

1 ents Medical Care Act (10 U.S.C. ch. 55), such sums as  
2 may be necessary.

3       PROCUREMENT, ACQUISITION AND CONSTRUCTION

4       For procurement, acquisition and construction of  
5 capital assets, including alteration and modification costs,  
6 of the National Oceanic and Atmospheric Administration,  
7 \$1,089,000,000, to remain available until September 30,  
8 2009, except funds provided for construction of facilities  
9 which shall remain available until expended: *Provided*,  
10 That of the amounts provided for the National Polar-or-  
11 biting Operational Environmental Satellite System, funds  
12 shall only be made available on a dollar-for-dollar match-  
13 ing basis with funds provided for the same purpose by the  
14 Department of Defense: *Provided further*, That except to  
15 the extent expressly prohibited by any other law, the De-  
16 partment of Defense may delegate procurement functions  
17 related to the National Polar-orbiting Operational Envi-  
18 ronmental Satellite System to officials of the Department  
19 of Commerce pursuant to section 2311 of title 10, United  
20 States Code: *Provided further*, That any deviation from the  
21 amounts designated for specific activities in the report ac-  
22 companying this Act, or any use of deobligated balances  
23 of funds provided under this heading in previous years,  
24 shall be subject to the procedures set forth in section 505  
25 of this Act.

## 1           PACIFIC COASTAL SALMON RECOVERY

2           For necessary expenses associated with the restora-  
3   tion of Pacific salmon populations, \$90,000,000.

## 4           COASTAL ZONE MANAGEMENT FUND

5           (INCLUDING TRANSFER OF FUNDS)

6           Of amounts collected pursuant to section 308 of the  
7   Coastal Zone Management Act of 1972 (16 U.S.C.  
8   1456a), not to exceed \$3,000,000 shall be transferred to  
9   the "Operations, Research, and Facilities" account to off-  
10   set the costs of implementing such Act.

## 11           FISHERIES FINANCE PROGRAM ACCOUNT

12           Subject to section 502 of the Congressional Budget  
13   Act of 1974, during fiscal year 2008, obligations of direct  
14   loans may not exceed \$8,000,000 for Individual Fishing  
15   Quota loans as authorized by the Merchant Marine Act  
16   of 1936.

## 17           OTHER

## 18           DEPARTMENTAL MANAGEMENT

## 19           SALARIES AND EXPENSES

20           For expenses necessary for the departmental manage-  
21   ment of the Department of Commerce provided for by law,  
22   including not to exceed \$5,000 for official entertainment,  
23   \$53,193,000.

1 HCHB RENOVATION AND MODERNIZATION

2 For expenses necessary for the renovation and mod-  
3 ernization of the Herbert C. Hoover Building, \$5,100,000,  
4 to remain available until expended.

5 OFFICE OF INSPECTOR GENERAL

6 For necessary expenses of the Office of Inspector  
7 General in carrying out the provisions of the Inspector  
8 General Act of 1978 (5 U.S.C. App.), \$23,426,000.

9 NATIONAL INTELLECTUAL PROPERTY LAW

10 ENFORCEMENT COORDINATION COUNCIL

11 For necessary expenses of the National Intellectual  
12 Property Law Enforcement Coordination Council to co-  
13 ordinate domestic and international intellectual property  
14 protection and law enforcement relating to intellectual  
15 property among Federal and foreign entities, \$1,000,000.

16 GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

17 (INCLUDING TRANSFER OF FUNDS)

18 SEC. 101. During the current fiscal year, applicable  
19 appropriations and funds made available to the Depart-  
20 ment of Commerce by this Act shall be available for the  
21 activities specified in the Act of October 26, 1949 (15  
22 U.S.C. 1514), to the extent and in the manner prescribed  
23 by the Act, and, notwithstanding 31 U.S.C. 3324, may  
24 be used for advanced payments not otherwise authorized  
25 only upon the certification of officials designated by the

1 Secretary of Commerce that such payments are in the  
2 public interest.

3 SEC. 102. During the current fiscal year, appropria-  
4 tions made available to the Department of Commerce by  
5 this Act for salaries and expenses shall be available for  
6 hire of passenger motor vehicles as authorized by 31  
7 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C.  
8 3109; and uniforms or allowances therefor, as authorized  
9 by law (5 U.S.C. 5901-5902).

10 SEC. 103. Not to exceed 5 percent of any appropria-  
11 tion made available for the current fiscal year for the De-  
12 partment of Commerce in this Act may be transferred be-  
13 tween such appropriations, but no such appropriation shall  
14 be increased by more than 10 percent by any such trans-  
15 fers: *Provided*, That any transfer pursuant to this section  
16 shall be treated as a reprogramming of funds under sec-  
17 tion 505 of this Act and shall not be available for obliga-  
18 tion or expenditure except in compliance with the proce-  
19 dures set forth in that section: *Provided further*, That the  
20 Secretary of Commerce shall notify the Senate Committee  
21 on Appropriations at least 15 days in advance of the ac-  
22 quisition or disposal of any capital asset (including land,  
23 structures, and equipment) not specifically provided for in  
24 this or any other Departments of Commerce, Justice,  
25 Science, and Related Agencies Appropriations Act: *Pro-*

1 *vided further*, That for the National Oceanic and Atmos-  
2 pheric Administration this section shall provide for trans-  
3 fers among appropriations made only to the National Oce-  
4 anic and Atmospheric Administration and such appropria-  
5 tions may not be transferred and reprogrammed to other  
6 Department of Commerce bureaus and appropriation ac-  
7 counts.

8       SEC. 104. Any costs incurred by a department or  
9 agency funded under this title resulting from personnel  
10 actions taken in response to funding reductions included  
11 in this title or from actions taken for the care and protec-  
12 tion of loan collateral or grant property shall be absorbed  
13 within the total budgetary resources available to such de-  
14 partment or agency: *Provided*, That the authority to trans-  
15 fer funds between appropriations accounts as may be nec-  
16 essary to carry out this section is provided in addition to  
17 authorities included elsewhere in this Act: *Provided fur-*  
18 *ther*, That use of funds to carry out this section shall be  
19 treated as a reprogramming of funds under section 505  
20 of this Act and shall not be available for obligation or ex-  
21 penditure except in compliance with the procedures set  
22 forth in that section.

23       SEC. 105. EXTENSION OF GUARANTEE AUTHORITY.

24 (a) IN GENERAL.—Section 101(k) of the Emergency Steel



1 Loan Guarantee Act of 1999 (15 U.S.C. 1841 note) is  
2 amended by striking “2007” and inserting “2009”.

3 (b) CONFORMING AMENDMENTS.—Paragraphs (1)  
4 and (2) of section 101(b) of the Emergency Steel Loan  
5 Guarantee Act of 1999 (15 U.S.C. 1841 note) are each  
6 amended by striking “in 1998” and inserting “since  
7 1998”.

8 (c) DEFINITION OF QUALIFIED STEEL COMPANY.—  
9 Subparagraph (C) of section 101(c)(3) of the Emergency  
10 Steel Loan Guarantee Act of 1999 (15 U.S.C. 1841 note)  
11 is amended by striking “, in 1998” and inserting “in  
12 1998, and thereafter,”.

13 (d) SALARIES AND ADMINISTRATIVE EXPENSES.—  
14 The Emergency Steel Loan Guarantee Act of 1999 (15  
15 U.S.C. 1841 note) is amended by adding at the end the  
16 following:

17 **“SEC. 103. SALARIES AND ADMINISTRATIVE EXPENSES.**

18 “(a) In addition to funds made available under sec-  
19 tion 101(j) of the Emergency Steel Loan Guarantee Act  
20 of 1999 (15 U.S.C. 1841 note), up to \$1,000,000 in funds  
21 made available under section 101(f) of such Act may be  
22 used for salaries and administrative expenses to admin-  
23 ister the Emergency Steel Loan Guarantee Program.

24 “(b) Funds made available for salaries and adminis-  
25 trative expenses to administer the Emergency Steel Loan

1 Guarantee Program shall remain available until ex-  
2 pended.”.

3 SEC. 106. Notwithstanding any other provision of  
4 law, no funds appropriated under this Act shall be used  
5 to register, issue, transfer, or enforce any trademark of  
6 the phrase “Last Best Place”.

7 SEC. 107. Section 3315(b) of title 19, United States  
8 Code, is amended by inserting “, including food when se-  
9 questered,” following “for the establishment and oper-  
10 ations of the United States Section and for the payment  
11 of the United States share of the expenses”.

12 SEC. 108. Notwithstanding the requirements of sub-  
13 section 4703(d), the personnel management demonstra-  
14 tion project established by the Department of Commerce  
15 pursuant to 5 U.S.C. 4703 may be expanded to involve  
16 more than 5,000 individuals, and is extended indefinitely.

17 SEC. 109. (a) The Stevenson-Wydler Technology In-  
18 novation Act of 1980 (Public Law 96-480), as amended,  
19 is amended by:

20 (1) deleting section 5;

21 (2) deleting paragraphs (1) and (3) of section  
22 4; and

23 (3) redesignating paragraphs (2) and (4)  
24 through (13) as paragraphs (1) through (11).

1 (b) Section 212(b) of the National Technical Infor-  
2 mation Act of 1988 (Public Law 100-519), as amended,  
3 is amended by striking "Under Secretary of Commerce for  
4 Technology" and inserting "Director of the National Insti-  
5 tute of Standards and Technology."

6 SEC. 110. The Secretary of Commerce is permitted  
7 to prescribe and enforce standards or regulations affecting  
8 safety and health in the context of scientific and occupa-  
9 tional diving within the National Oceanic and Atmospheric  
10 Administration.

11 SEC. 111. NOAA PACIFIC REGIONAL CENTER. (a) IN  
12 GENERAL.—The National Oceanic and Atmospheric Ad-  
13 ministration (NOAA) is authorized to engage in planning,  
14 design, acquisition, renovation, construction and related  
15 activities to complete NOAA's Pacific Regional Center on  
16 Ford Island, Hawaii, consisting of the following: adaptive  
17 re-use and renovation of hangars 175 and 176, and con-  
18 struction of a new interconnecting building and other re-  
19 lated structures. Funds are hereby authorized to be appro-  
20 priated for fiscal years beginning after September 2007  
21 for purposes of completing the Center.

22 (b) INCREMENTAL FUNDING.—Of the funds appro-  
23 priated elsewhere in this Act, \$20,250,000 are available  
24 for obligation and expenditure as an additional increment  
25 to funds previously appropriated for the NOAA Pacific

1 Regional Center. These funds may be expended incremen-  
2 tally through multiple year contracts for design, construc-  
3 tion and related activities for the Center; and remain  
4 available until expended.

5 SEC. 112. PAPAĦĀNAUMOKUĀKEA FISHERY REDUC-  
6 TION. (a) IN GENERAL.—The Papahānaumokuākea Ma-  
7 rine National Monument was created by Presidential proc-  
8 lamation on June 15, 2006 to protect more than 7,000  
9 marine and terrestrial species including protection for the  
10 habitat for the endangered Hawaiian monk seal, threat-  
11 ened Hawaiian green sea turtle and other marine species.  
12 The Presidential proclamation will phase out all commer-  
13 cial fishing by June 15, 2011. The Secretary of Commerce  
14 is authorized to conduct a voluntary capacity reduction  
15 program to remove all commercial fishing capacity in the  
16 area prior to that date.

17 (b) REGULATIONS.—The Secretary shall promulgate  
18 regulations for the voluntary capacity reduction program  
19 that:

20 (1) identifies eligible participants as those indi-  
21 viduals engaged in commercial fishing in the des-  
22 ignated waters within the Northwestern Hawaiian  
23 Island National Marine Sanctuary or Reserve pursu-  
24 ant to a valid commercial Federal fishing permit in  
25 the 2006 fishing season;

1           (2) provides a mechanism to compensate eligible  
2 participants for no more than the economic value of  
3 their permits, their vessels or vessel endorsements,  
4 and fishing gear;

5           (3) ensures that commercial fishing vessels of  
6 eligible participants cannot be used in fishing any-  
7 where in the world;

8           (4) for the commercial fishing vessels of eligible  
9 participants, ensures

10           (A) that documentation be provided show-  
11 ing that such vessel has been scrapped or scut-  
12 tled or,

13           (B) that the Secretary of the department  
14 in which the Coast Guard is operating places a  
15 title restriction on the fishing vessel perma-  
16 nently prohibiting and effectively preventing its  
17 use in fishing, and

18           (C) that the vessel must remain in Federal  
19 documentation and that the Maritime Adminis-  
20 tration will prohibit the reflagging of the vessel.

21       (c) AUTHORIZATION.—There is authorized no more  
22 than \$7,500,000 and there is appropriated \$7,500,000 of  
23 the amount provided in this Act for National Oceanic and  
24 Atmospheric Administration's "Operations, research, and  
25 facilities" to implement this program.

1 (d) CLARIFICATION.—Nothing in this section is in-  
2 tended to enlarge or diminish Federal or State title, juris-  
3 diction, or authority with respect to the waters of the  
4 Northwestern Hawaiian Islands or the tidal or submerged  
5 lands under any provision of State or Federal law.

6 SEC. 113. NIST BUILDING 1 EXTENSION. Of the  
7 funds appropriated elsewhere in this Act, \$28,000,000 are  
8 available for obligation and expenditure as an additional  
9 increment to funds previously appropriated for this  
10 project. These funds may be expended incrementally  
11 through multiple year contracts for design, construction  
12 and related activities for the Building 1 Extension; and  
13 remain available until expended.

14 This title may be cited as the “Department of Com-  
15 merce Appropriations Act, 2008”.

1

## TITLE V

2

## GENERAL PROVISIONS

3

SEC. 501. The Departments of Commerce and Justice, the National Science Foundation, and the National Aeronautics and Space Administration shall provide to the Senate Committee on Appropriations a quarterly accounting of the cumulative balances of any unobligated funds that were made available to any such agency in any previous appropriations Act.

10

SEC. 502. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

13

SEC. 503. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

20

SEC. 504. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

25

1       SEC. 505. (a) None of the funds provided under this  
2 Act, or provided under previous appropriations Acts to the  
3 agencies funded by this Act that remain available for obli-  
4 gation or expenditure in fiscal year 2008, or provided from  
5 any accounts in the Treasury of the United States derived  
6 by the collection of fees available to the agencies funded  
7 by this Act, shall be available for obligation or expenditure  
8 through a reprogramming of funds that: (1) creates new  
9 programs; (2) eliminates a program, project, or activity;  
10 (3) increases funds or personnel by any means for any  
11 project or activity for which funds have been denied or  
12 restricted; (4) relocates an office or employees; (5) reorga-  
13 nizes or renames offices, programs, or activities; or (6)  
14 contracts out or privatizes any functions or activities pres-  
15 ently performed by Federal employees; unless the Senate  
16 Committee on Appropriations is notified 15 days in ad-  
17 vance of such reprogramming of funds.

18       (b) None of the funds provided under this Act, or  
19 provided under previous appropriations Acts to the agen-  
20 cies funded by this Act that remain available for obligation  
21 or expenditure in fiscal year 2008, or provided from any  
22 accounts in the Treasury of the United States derived by  
23 the collection of fees available to the agencies funded by  
24 this Act, shall be available for obligation or expenditure  
25 for activities, programs, or projects through a reprogram-



1 ming of funds in excess of \$500,000 or 10 percent, which-  
2 ever is less, that: (1) augments existing programs,  
3 projects, or activities; (2) reduces by 10 percent funding  
4 for any existing program, project, or activity, or numbers  
5 of personnel by 10 percent as approved by Congress; or  
6 (3) results from any general savings, including savings  
7 from a reduction in personnel, which would result in a  
8 change in existing programs, activities, or projects as ap-  
9 proved by Congress; unless the Senate Committee on Ap-  
10 propriations is notified 15 days in advance of such re-  
11 programming of funds.

12 SEC. 506. Hereafter, none of the funds made avail-  
13 able in this Act or any other Act may be used for the  
14 construction, repair (other than emergency repair), over-  
15 haul, conversion, or modernization of vessels for the Na-  
16 tional Oceanic and Atmospheric Administration in ship-  
17 yards located outside of the United States.

18 SEC. 507. If it has been finally determined by a court  
19 or Federal agency that any person intentionally affixed a  
20 label bearing a "Made in America" inscription, or any in-  
21 scription with the same meaning, to any product sold in  
22 or shipped to the United States that is not made in the  
23 United States, the person shall be ineligible to receive any  
24 contract or subcontract made with funds made available  
25 in this Act, pursuant to the debarment, suspension, and

1 ineligibility procedures described in sections 9.400 through  
2 9.409 of title 48, Code of Federal Regulations.

3       SEC. 508. Any costs incurred by a department or  
4 agency funded under this Act resulting from personnel ac-  
5 tions taken in response to funding reductions included in  
6 this Act shall be absorbed within the total budgetary re-  
7 sources available to such department or agency: *Provided*,  
8 That the authority to transfer funds between appropria-  
9 tions accounts as may be necessary to carry out this sec-  
10 tion is provided in addition to authorities included else-  
11 where in this Act: *Provided further*, That use of funds to  
12 carry out this section shall be treated as a reprogramming  
13 of funds under section 505 of this Act and shall not be  
14 available for obligation or expenditure except in compli-  
15 ance with the procedures set forth in that section.

16       SEC. 509. None of the funds provided by this Act  
17 shall be available to promote the sale or export of tobacco  
18 or tobacco products, or to seek the reduction or removal  
19 by any foreign country of restrictions on the marketing  
20 of tobacco or tobacco products, except for restrictions  
21 which are not applied equally to all tobacco or tobacco  
22 products of the same type.

23       SEC. 510. None of the funds appropriated pursuant  
24 to this Act or any other provision of law may be used for—  
•

1           (1) the implementation of any tax or fee in con-  
2           nection with the implementation of subsection 922(t)  
3           of title 18, United States Code; and

4           (2) any system to implement subsection 922(t)  
5           of title 18, United States Code, that does not re-  
6           quire and result in the destruction of any identifying  
7           information submitted by or on behalf of any person  
8           who has been determined not to be prohibited from  
9           possessing or receiving a firearm no more than 24  
10          hours after the system advises a Federal firearms li-  
11          censee that possession or receipt of a firearm by the  
12          prospective transferee would not violate subsection  
13          (g) or (n) of section 922 of title 18, United States  
14          Code, or State law.

15          SEC. 511. Notwithstanding any other provision of  
16          law, amounts deposited or available in the Fund estab-  
17          lished under 42 U.S.C. 10601 in any fiscal year in excess  
18          of \$625,000,000 shall not be available for obligation until  
19          the following fiscal year.

20          SEC. 512. None of the funds made available to the  
21          Department of Justice in this Act may be used to discrimi-  
22          nate against or denigrate the religious or moral beliefs of  
23          students who participate in programs for which financial  
24          assistance is provided from those funds, or of the parents  
25          or legal guardians of such students.

1       SEC. 513. None of the funds made available in this  
2 Act may be transferred to any department, agency, or in-  
3 strumentality of the United States Government, except  
4 pursuant to a transfer made by, or transfer authority pro-  
5 vided in, this Act or any other appropriations Act.

6       SEC. 514. With the consent of the President, the Sec-  
7 retary of Commerce shall represent the United States Gov-  
8 ernment in negotiating and monitoring international  
9 agreements regarding fisheries, marine mammals, or sea  
10 turtles: *Provided*, That the Secretary of Commerce shall  
11 be responsible for the development and interdepartmental  
12 coordination of the policies of the United States with re-  
13 spect to the international negotiations and agreements re-  
14 ferred to in this section.

15       SEC. 515. Any funds provided in this Act used to im-  
16 plement E-Government Initiatives shall be subject to the  
17 procedures set forth in section 505 of this Act.

18       SEC. 516. ACCOUNTABILITY AND TRANSPARENCY OF  
19 ACTIVITIES CARRIED OUT WITH FUNDS PROVIDED BY  
20 THIS ACT. (a) AUDIT PROGRESS REPORTS.—The Inspec-  
21 tors General of the Department of Commerce, the Depart-  
22 ment of Justice, the National Aeronautics and Space Ad-  
23 ministration, and the National Science Foundation shall  
24 conduct audits, pursuant to the Inspector General Act (5  
25 U.S.C. App.), of grants or contracts for which funds are

1 appropriated by this Act, and shall submit reports to Con-  
2 gress on the progress of such audits, which may include  
3 preliminary findings and a description of areas of par-  
4 ticular interest, within 180 days after initiating such an  
5 audit and every 180 days thereafter until any such audit  
6 is completed.

7 (b) AVAILABILITY TO THE PUBLIC.—Within 60 days  
8 after the date on which an audit described in subsection  
9 (a) by an Inspector General is completed, the Secretary,  
10 Attorney General, Administrator, or Director, as appro-  
11 priate, shall make the results of the audit available to the  
12 public on the Internet website maintained by the Depart-  
13 ment, Administration, or Foundation, respectively. The re-  
14 sults shall be made available in redacted form to exclude—

15 (1) any matter described in section 552(b) of  
16 title 5, United States Code; and

17 (2) sensitive personal information for any indi-  
18 vidual, the public access to which could be used to  
19 commit identity theft or for other inappropriate or  
20 unlawful purposes.

21 (c) PROHIBITED USE OF FUNDS.—A grant or con-  
22 tract funded by amounts appropriated by this Act may  
23 not be used for the purpose of defraying the costs of a  
24 banquet or conference that is not directly and program-  
25 matically related to the purpose for which the grant or

1 contract was awarded, such as a banquet or conference  
2 held in connection with planning, training, assessment, re-  
3 view, or other routine purposes related to a project funded  
4 by the grant or contract.

5 (d) CONFLICT OF INTEREST STATEMENT.—Any per-  
6 son awarded a grant or contract funded by amounts ap-  
7 propriated by this Act shall submit a statement to the Sec-  
8 retary of Commerce, the Attorney General, the Adminis-  
9 trator, or the Director, as appropriate, certifying that no  
10 funds derived from the grant or contract will be made  
11 available through a subcontract or in any other manner  
12 to another person who has a financial interest in the per-  
13 son awarded the grant or contract.

14 (e) APPLICATION TO OTHER FEDERAL GRANTS AND  
15 CONTRACTS.—The provisions of the preceding subsections  
16 of this section shall take effect 30 days after the date on  
17 which the Director of the Office and Management and  
18 Budget, in consultation with the Director of the Office of  
19 Government Ethics, determines that a uniform set of rules  
20 and requirements, substantially similar to the require-  
21 ments in such subsections, consistently apply under the  
22 executive branch ethics program to all Federal depart-  
23 ments, agencies, and entities.

24 SEC. 517. None of the funds appropriated or other-  
25 wise made available under this Act may be used to issue

1 patents on claims directed to or encompassing a human  
2 organism.

3 SEC. 518. If at any time during any quarter, the pro-  
4 gram manager of a project within the jurisdiction of the  
5 Departments of Commerce or Justice, the National Aero-  
6 nautics and Space Administration, or the National Science  
7 Foundation totaling more than \$75,000,000 has reason-  
8 able cause to believe that the total program cost has in-  
9 creased by 10 percent, the program manager shall imme-  
10 diately inform the Secretary, Administrator, or Director.  
11 The Secretary, Administrator, or Director shall notify the  
12 Senate Committee on Appropriations within 30 days in  
13 writing of such increase, and shall include in such notice:  
14 the date on which such determination was made; a state-  
15 ment of the reasons for such increases; the action taken  
16 and proposed to be taken to control future cost growth  
17 of the project; changes made in the performance or sched-  
18 ule milestones and the degree to which such changes have  
19 contributed to the increase in total program costs or pro-  
20 curement costs; new estimates of the total project or pro-  
21 curement costs; and a statement validating that the  
22 project's management structure is adequate to control  
23 total project or procurement costs.

24 SEC. 519. None of the funds made available in this  
25 Act shall be used in any way whatsoever to support or

1 justify the use of torture by any official or contract em-  
2 ployee of the United States Government.

3 SEC. 520. Notwithstanding section 505 of this Act,  
4 no funds shall be reprogrammed within or transferred be-  
5 tween appropriations after June 30, except in extraor-  
6 dinary circumstances.

7 SEC. 521. Funds appropriated by this Act, or made  
8 available by the transfer of funds in this Act, for intel-  
9 ligence or intelligence related activities are deemed to be  
10 specifically authorized by the Congress for purposes of sec-  
11 tion 504 of the National Security Act of 1947 (50 U.S.C.  
12 414) during fiscal year 2008 until the enactment of the  
13 Intelligence Authorization Act for Fiscal Year 2008.

14 SEC. 522. The Offices of Inspectors General funded  
15 under this Act shall forward copies of all audit reports  
16 to the Senate Committee on Appropriations immediately  
17 after they are issued and immediately make the Com-  
18 mittee aware of any review that recommends cancellation  
19 of, or modification to, any major acquisition project or  
20 grant, or that recommends significant budgetary savings:  
21 *Provided*, That the Offices of Inspectors General funded  
22 under this Act shall withhold from public distribution for  
23 a period of 15 days any final audit or investigation report  
24 that was requested by the Senate Committee on Appro-  
25 priations.



1        SEC. 523. Hereafter, none of the funds made avail-  
2   able by the Congress may be used to implement, admin-  
3   ister, or enforce any guidelines of the Equal Employment  
4   Opportunity Commission covering harassment based on  
5   religion, when it is made known to the Federal entity or  
6   official to which such funds are made available that such  
7   guidelines do not differ in any respect from the proposed  
8   guidelines published by the Commission on October 1,  
9   1993 (58 Fed. Reg. 51266).

10       SEC. 524. None of the funds in this Act or prior Acts  
11   making appropriations for the Department of Justice may  
12   be used to make a grant allocation, a discretionary grant  
13   award, or a discretionary contract award that is specified  
14   in the report accompanying this Act, or to publicly an-  
15   nounce the intention to make such an award, unless the  
16   Attorney General, Secretary, Administrator or Director of  
17   the appropriate agency or bureau notifies the Senate Com-  
18   mittee on Appropriations, at least three full business days  
19   in advance: *Provided*, That no notification shall involve  
20   funds that are not available for obligation.

21       SEC. 525. None of the funds provided in this Act may  
22   be used to implement an involuntary reduction in force  
23   at any NASA center during fiscal year 2008.

24       SEC. 526. (a) MODIFICATION OF ENHANCED-USE  
25   LEASE AUTHORITY FOR NASA.—Subsection (a) of sec-

tion 315 of the National Aeronautics and Space Administration Act of 1958 (42 U.S.C. 2459j) is amended—

(1) by striking “Notwithstanding any other provision of law, the Administrator” and inserting “The Administrator”; and

(2) by striking “any real property” and inserting “any non-excess real property and related personal property”; and

(3) by striking “at no more than two (2) National Aeronautics and Space Administration (NASA) centers”.

(b) CONSIDERATION.—Subsection (b) of such section is amended—

(1) in paragraph (1), by striking “consideration” and all that follows through the end of the paragraph and inserting “cash consideration for the lease at fair market value as determined by the Administrator.”;

(2) by striking paragraph (2);

(3) by redesignating paragraph (3) as paragraph (2); and

(4) in paragraph (2), as redesignated by paragraph (3) of this subsection—

(A) in subparagraph (B), by striking “maintenance” and all that follows through

1           “centers selected for this demonstration pro-  
2           gram” and inserting “capital revitalization and  
3           construction projects and improvements of real  
4           property assets and related personal property  
5           under the jurisdiction of the Administrator”;  
6           and

7                   (B) by adding at the end the following new  
8           subparagraph:

9           “(C) Amounts utilized under subparagraph (B)  
10          may not be utilized for daily operating costs.”.

11          (c) LEASE RESTRICTIONS.—Subsection (e) of such  
12          section is amended—

13               (1) by striking “LEASE RESTRICTIONS.—  
14          NASA” and inserting the following: “LEASE RE-  
15          STRICTIONS.—

16               “(1) NASA”; and

17               (2) by adding at the end the following new  
18          paragraph:

19               “(2) NASA is not authorized to enter into an  
20          out-lease under this section unless the Administrator  
21          certifies that such out-lease will not have a negative  
22          impact on NASA’s mission.”.

23          (d) REPEAL OF PLAN AND REPORTING REQUIRE-  
24          MENTS.—Such section is further amended by striking sub-  
25          section (f).

1 (e) SUNSET.—Such section is further amended by  
2 adding at the end the following new subsection (f):

3 “(f) SUNSET.—The authority to enter into leases  
4 under this section shall expire on the date that is ten years  
5 after the date of the enactment of the Commerce, Justice,  
6 Science, and Related Agencies Appropriations Act of  
7 2008. The expiration under this subsection of authority  
8 to enter into leases under this section shall not affect the  
9 validity or term of leases or NASA’s retention of proceeds  
10 from leases entered into under this section before the date  
11 of the expiration of such authority.”.

12 (f) CONFORMING AMENDMENT.—The heading of  
13 such section is amended by striking “Enhanced-use lease  
14 of real property demonstration” and inserting “Lease of  
15 non-excess property”.